

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ALLEN BIANCHI ARCHITECT,

Plaintiff,

VS.

WATERHILL COMPANIES LIMITED,
et al.,

Defendants.

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CIVIL ACTION NO. H-08-2532

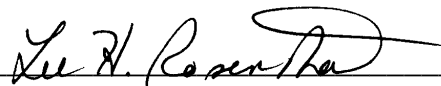
ORDER

This court's docket shows that service of this action has not been effected. Federal Rule of Civil Procedure 4(m) provides in part:

If a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

It is ORDERED that the plaintiff file proof that he has effected service no later than December 19, 2008. Failure to do so may lead to dismissal of this action without prejudice. The initial pretrial conference set for November 21, 2008 is reset to **January 30, 2009, at 8:45 a.m.** Counsel for plaintiff must provide a copy of this order to the defendants.

SIGNED on November 18, 2008, at Houston, Texas.



Lee H. Rosenthal
United States District Judge

